



Steven L. Beshear
Governor

TRANSPORTATION CABINET
Frankfort, Kentucky 40622
www.transportation.ky.gov/

Michael W. Hancock, P.E.
Acting Secretary

**COMMONWEALTH OF KENTUCKY
TRANSPORTATION CABINET
FRANKFORT, KY**

OFFICE OF THE SECRETARY

OFFICIAL ORDER NO. 105800

**SUBJECT: DECLARATION OF EMERGENCY, SUSPENSION OF
REGISTRATION REQUIREMENTS, AND EXEMPTION OF HOURS
OF SERVICE FOR THE REMOVAL AND DISPOSAL OF STORM
DEBRIS**

WHEREAS, severe weather has resulted in widespread electrical outages to a significant portion of the Commonwealth, disrupting the delivery of vital services and product(s) and thus affecting the public health, safety and welfare of its citizens; and

WHEREAS, severe weather has resulted in widespread tree damage in and along the state rights-of-way and public utility locations; and

WHEREAS, due to the massive and significant volumes of storm debris, it has necessitated its removal to central sights for storage, wasting and disposal; and

WHEREAS, failure to immediately dispose of such storm debris poses a significant risk to the public health and safety within the affected areas; and

WHEREAS, KRS 186.05 requires special registration for out-of-state vehicles;
and

WHEREAS, 49 CFR Part 395, KRS 281.730, and 601 KAR 1:005 impose maximum driving time upon the drivers of motor carriers transporting and hauling of storm debris; and


WHEREAS, KRS 189.270 and 601 KAR 1:018 impose standards and establish procedures for the issuance of permits for overweight and/or overdimensional vehicles;
and

NOW, THEREFORE, pursuant to the authority vested in me by KRS 281.730 and 49 CFR 390.23 and by virtue of the DECLARATION OF EMERGENCY issued by Governor Beshear on December 19, 2009:



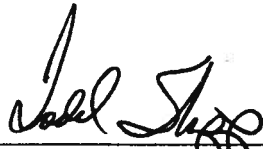
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1. I hereby declare that conditions exist that require relief from the hours of service imposed upon the transporters of storm debris; utility vehicles; vital services and products to the affected areas;
2. That conditions exist further requiring a waiver of stopping at all weigh stations for the transporters of storm debris and utility vehicles responding to the affected areas from out of state;
3. That commercial motor vehicles and their operators transporting storm debris, operating utility vehicles, and transporting relief supplies shall be exempt from the hours of service imposed under 49 CFR Part 395, 601 KAR 1:005 and KRS 281.730 during the period of this emergency;
4. that commercial vehicles providing relief as set forth herein shall be exempt from permit fees for overweight/overdimensional vehicles;
5. That the IRP Registration Requirements for vehicles providing relief services and relief supplies to the affected areas shall be waived;
6. That all other safety requirements shall remain in full force and effect;
7. This declaration of emergency shall remain in effect until 12:01 AM EDT, January 4, 2010.


Michael W. Hancock, Acting Secretary
Kentucky Transportation Cabinet

Done this 21st day of December, 2009 at Frankfort, Kentucky

Approved as to form and legality:


Office of Legal Services